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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

GRAND CANYON TRUST;  
CENTER FOR BIOLOGICAL DIVERSITY;  
SIERRA CLUB; and  
HAVASUPAI TRIBE,

Plaintiffs

vs.

MICHAEL WILLIAMS, Forest Supervisor,  
Kaibab National Forest; and  
UNITED STATES FOREST SERVICE, an  
agency in the U.S. Department of Agriculture,

Defendants,

and

ENERGY FUELS RESOURCES (USA) Inc.;  
and EFR ARIZONA STRIP LLC,  
Defendant-Intervenors.

Case No. 13-8045-DGC

JOINT MOTION TO ENTER  
STIPULATED AGREEMENT

The parties -- Plaintiffs Havasupai Tribe, Grand Canyon Trust, Center for Biological Diversity, and Sierra Club ("Plaintiffs"); Federal-Defendants Michael Williams and the U.S. Forest Service; and Defendant-Intervenors Energy Fuels Resources (USA) Inc. and EFR Arizona Strip LLC (together, "EFR") -- jointly move this Court for an order that approves and adopts, as an order of this Court, the terms of the Stipulated Agreement between Plaintiffs and EFR through which EFR has agreed to put shaft sinking operations at the Canyon Uranium Mine ("Mine") on standby status until this Court issues a final appealable order or judgment on the merits or until December 31, 2014, whichever is sooner. A copy of the executed Stipulated Agreement is attached as Exhibit A.

During the proceedings on Plaintiffs' appeal of this Court's denial of their Motion for Preliminary Injunction (Doc. 86), the parties agreed to resolve the appeal in the manner set forth in the Stipulated Agreement. In exchange for EFR's agreement to put shaft sinking operations at the Mine on standby, Plaintiffs have agreed to stay all proceedings in the Ninth Circuit Court of Appeals related to their Preliminary Injunction Appeal, including their Emergency Motion for Injunction Pending Appeal. The parties

1 have agreed to request that this Court enter the terms of Plaintiffs and EFR's Stipulated  
2 Agreement as an order of this Court to ensure compliance. Should this Court grant this  
3 Motion and enter the Stipulated Agreement as an order of the Court, the parties jointly  
4 will seek a stay of the appellate proceedings consistent with the Stipulated Agreement.  
5 Finally, the parties intend for the litigation before this Court to continue in the normal  
6 course, unaffected by this motion.

7 A proposed Order accompanies this Joint Motion to Enter Stipulated Agreement.

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9 Respectfully submitted,

10 November 5, 2013

/s/ Richard W. Hughes  
Richard W. Hughes

*Attorneys for Plaintiff Havasupai Tribe*

13 November 5, 2013

/s/ Neil Levine  
Neil Levine  
Marc Fink  
Roger Flynn

*Attorneys for Plaintiffs Grand Canyon  
Trust, Center for Biological Diversity  
and Sierra Club*

19 November 5, 2013

GALLAGHER & KENNEDY, P.A.

20 By: /s/David J. DePippo  
21 Michael K. Kennedy  
22 Bradley J. Glass  
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*Counsel for Defendant-Intervenor*

24 November 5, 2013

ROBERT G. DREHER  
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/s/ Beverly F. Li  
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